

**THE PROVINCE OF
GAUTENG**



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GAUTENG**

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GENERAL NOTICES • ALGEMENE KENNISGEWINGS

GENERAL NOTICE 1227 OF 2021

GAUTENG PROVINCIAL LEGISLATURE

**GAUTENG POLITICAL PARTY FUND
REPEAL ACT**

ENGLISH TEXT SIGNED BY THE PREMIER
ASSENTED TO ON 27/10/2021

CERTIFIED CORRECT AS PASSED BY
THE GAUTENG PROVINCIAL LEGISLATURE

SIGNED *[Signature]* SPEAKER

DATE 24/06/2021

ASSENTED TO
[Signature]
PREMIER

NO 5, 2021

ACT

To provide for the repeal of the Gauteng Political Party Fund Act, 3 of 2007; and to provide for matters connected therewith.

BE IT ENACTED by the Provincial Legislature of Gauteng, as follows:-

Repeal of Act 3 of 2007

1. The Gauteng Political Party Fund Act, 2007 (Act No. 3 of 2007), is hereby repealed.

Winding up of Political Party Fund established in terms of repealed Gauteng Political Party Fund Act, 3 of 2007

2.(1) The Political Party Fund established in terms of section 2 of the repealed Gauteng Political Party Fund Act, 2007 (Act No. 3 of 2007), is hereby wound up and disestablished.

(2) All assets, liabilities, rights, duties and obligations, including any unspent portion of any funds accrued to or received by the disestablished Political Party Fund are transferred to, and vest in, the Gauteng Provincial Legislature.

(3) The Gauteng Provincial Legislature is, in respect of the assets, liabilities, rights, duties and obligations and funds referred to in subsection (2), for all purposes the successor-in-law of the disestablished Political Party Fund.

Transitional Arrangements

3.(1) All unspent portions of any funds standing to the credit of a political party in respect of a bank account envisaged in section 6(1) of the repealed Gauteng Political Party Fund Act, 2007 (Act No. 3 of 2007), must, be shown

in the books and records of account of the Party as a credit balance carried forward to the next financial year: Provided that –

- (a) the money that may be carried forward is limited to an amount not exceeding 25% of the allocation made to that Party for the financial year; and
- (b) the money carried forward to the next financial year may not be taken into account in determining an allocation to the Party concerned during that financial year.

(2) All political parties which received funding in terms of the repealed Gauteng Political Party Fund Act, 2007 (Act No. 3 of 2007), must, with regard to the spent portion of the allocation, submit audited accounts, statements and report of the auditor to the Secretary to the Legislature.

(3) The audited accounts, statements and report of the auditor referred to in subsection (2) must be submitted within three months of the end of the 2020/2021 financial year.

(4) If, after studying the financial reports, the Secretary to the Legislature is of the view that the funds were spent for activities mentioned in section 5 (7) of the repealed Gauteng Political Party Fund Act, 2007 (Act No. 3 of 2007), he or she may institute civil proceedings to recover such funds or set off the amount irregularly spent against any allocation that may become payable to that Party.

Short title

4. This Act is called the Gauteng Political Party Fund Repeal Act, 2021.

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